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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,813	02/28/2002	Steven James Wojcik	KCX-450 (16960)	2378

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EXAMINER

HAUGLAND, SCOTT J

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,813

Applicant(s)

WOJCIK ET AL.

Examiner

Scott Haugland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/31/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 71-108 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 71-108 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 71-74, 77, 83, 87, 90, and 107 are rejected under 35 U.S.C. 102(b) as being anticipated by Alfio (U.S. Pat. No. 4,139,164).

Alfio discloses a winder for web comprising a web transport apparatus including a conveyor belt 20 and a plurality of winding modules positioned along the web transport apparatus. Each winding module comprises a mandrel 26a-26d in operative association with a driving device for rotating the mandrel and a positioning apparatus (32a-32d, 30a-30d, counterweights or elastic means, etc.) in operative association with the mandrel configured to move the mandrel into and out of engagement with the conveyor belt.

With regard to claim 73, the motor would inherently brake the belt and mandrels at times during operation.

With regard to claim 90, note that the mandrel does not engage the conveyor belt when a layer of the material being wound has built up on the mandrel.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 75, 84, 91-99, 101, 103-106, and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio (U.S. Pat. No. 4,139,164) in view of Nistri et al (U.S. Pat. No. 4,583,698).

Alfio is described above.

Alfio does not disclose a vacuum conveyor as recited in claim 75. Alfio does not disclose that the winding modules are positioned at the end of a tissue machine (claim 84). Alfio does not disclose unwinding web from a parent roll of tissue (claim 91) or placing a core on the mandrel (claim 92). Alfio does not explicitly disclose winding, loading, and stripping material from mandrels substantially at the same time (claim 104) or the process recited in claim 106.

Nistri et al teaches using a vacuum conveyor 9 and vacuum roll 8 to feed and facilitate threading of a web in a winder (claim 75). Nistri et al teaches winding tissue web unwound from a parent roll (claim 91) and placing a core on a winding mandrel (claim 92).

With regard to claim 75, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with a vacuum conveyor for

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feeding the web to the winding modules as taught by Nistri et al to maintain feeding engagement with the web and to facilitate threading through the winding apparatus.

With regard to claim 84, it would have been obvious to position the winding modules at the end of a tissue machine since Alfio would clearly be capable of winding tissue.

With regard to claims 91, it would have been obvious to use the apparatus for winding tissue as taught by Nistri since Alfio would clearly be capable of winding tissue. It would have been obvious to supply the tissue from a parent roll as taught by Nistri to form small rolls.

With regard to claim 92, it would have been obvious to provide a core on the mandrels as taught by Nistri et al to facilitate attachment of web and removal of the wound product.

With regard to claims 96 and 97, note that the center of the mandrel is driven by contact of the roll with the conveyor belt.

With regard to claim 104, it would have been obvious to wind, load, and strip material from mandrels substantially at the same time since the winding modules of Alfio are disclosed for independent operation.

With regard to claim 105, cutting of the web at the end of a roll of material would have been obvious since it is routine to do so in winding operations and is taught by Nistri et al.

The method of claim 106 would have been an obvious method of using the apparatus of Alfio due to the disclosed independence of the winding modules.

Claim 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio (U.S. Pat. No. 4,139,164) in view of Menz et al (doc. no. WO 98/52857).

Alfio is described above.

Alfio does not disclose a web transport apparatus that is an electrostatic belt.

Menz et al teaches using an electrostatic belt (in lieu of rollers 3, 4) to feed web material (page 6, third full paragraph; col. 3, lines 24-29 of corresponding US Pat. No. 6,264,132).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with a web transport apparatus in the form of an electrostatic belt as taught by Menz et al to provide more positive gripping and feeding of the web.

Claim 78 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio (U.S. Pat. No. 4,139,164) in view of Diltz (U.S. Patent No. 3,869,095).

Alfio is described above.

Alfio does not disclose a vacuum supplied mandrel.

Diltz teaches providing a winding apparatus with vacuum supplied mandrels 40, 41 for attaching a leading end of web to be wound to the cores.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with vacuum supplied mandrels as taught by Diltz to attach web to the cores without the need for adhesive.

Claim 79 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Pretto et al (U.S. Patent No. 5,379,964).

Alfio is described above.

Alfio does not disclose that the mandrels are made of a carbon fiber composite.

Pretto et al teaches forming a web winding mandrel of a carbon fiber composite to provide a lightweight mandrel having high strength and stiffness.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the mandrels of Alfio of a carbon fiber composite as taught by Pretto et al to make them light weight with high strength and stiffness.

Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Dowd (U.S. Patent No. 4,133,495).

Alfio is described above.

Alfio does not disclose a tail sealing apparatus.

Dowd teaches providing a web winding apparatus with a tail sealing apparatus to prevent unwinding of an outer end of a web from a finished roll.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with a tail sealing apparatus as taught by Dowd to prevent unwinding of an outer end of the web from a completed product roll.

Claim 81 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Urban (U.S. Patent No. 4,988,052).

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Alfio is described above.

Alfio does not disclose applying adhesive to the web prior to engagement with one of the winding modules.

Urban teaches applying adhesive to the leading end and trailing end of web 7 being wound before it engages winding modules 4, 5, 6.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply adhesive to the web in Alfio prior to engagement with one of the winding modules as taught by Urban to facilitate attachment of the web to the modules and initiation of winding.

Claims 82, 85, 86, 88, and 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Dusenbery (U.S. Pat. No. 4,208,019).

Alfio is described above.

Alfio does not disclose a core loading or product stripping apparatus.

Dusenbery teaches providing a winding apparatus with a core loading and product stripping apparatus.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with a core loading and product stripping apparatus as taught by Dusenbery to reduce manual labor required to operate the apparatus.

With regard to claims 88 and 89, the winding modules are inherently slidable to the side opposite the loading and stripping side of the web transport apparatus by disassembly.

Claim 100 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Nistri et al as applied to claim 91, and further in view of Dowd (U.S. Patent No. 4,133,495).

Alfio does not disclose sealing a trailing edge of the web to the rolled product.

Dowd teaches cutting web after forming a full roll and sealing a trailing end of the web to the finished roll.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to seal the trailing end of the web to the roll in Alfio as taught by Dowd to prevent unwinding of the roll during subsequent handling.

Claim 102 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alfio in view of Nistri et al as applied to claim 91 above, and further in view of Menz et al (doc. no. WO 98/52857).

Alfio does not disclose a web transport apparatus that is an electrostatic belt.

Menz et al teaches using an electrostatic belt (in lieu of rollers 3, 4) to feed web material (page 6, third full paragraph; col. 3, lines 24-29 of corresponding US Pat. No. 6,264,132).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Alfio with a web transport apparatus in the form of an electrostatic belt as taught by Menz et al to provide more positive gripping and feeding of the web.

Response to Arguments

Applicants' arguments filed 8/31/06 have been fully considered but they are not persuasive.

Applicants argue that the mandrels in Alfio are not consecutively positioned along the web transport apparatus and do not have substantially the same length. However, the mandrels in Alfio are positioned one after the other along the conveyor belt 18 and are, thus, seen to be consecutively positioned along the web transport apparatus. The plurality of mandrels comprising hubs 26a and 26b, for example, are disclosed as having substantially the same length.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

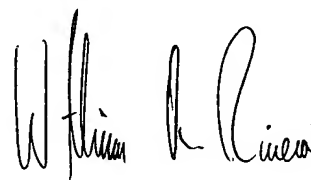
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


sjh
11/2/06



**WILLIAM A. RIVERA
PRIMARY EXAMINER**